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Docket No.: PCRC 8472U1

Date: March 23, 2005

In re application of: Seth Harbuck	
Serial No.: 10/669,275	Group No.: 3747
Filed: September 23, 2003	Examiner: N/A
For: LOW COST FUEL PUMP AND FILTER ASSEMBLY	

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Transmitted herewith is:

- ☒ A Request for Reconsideration of Petition Under 37 CFR 1.47(b) (2 pages);
- ☒ Declaration of Nelson D. Nolte (2 pages);
- ☒ Exhibit A including a letter, copy of the patent application and drawings and a declaration and power of attorney sent to Seth Harbuck on March 14, 2005 (22 pages);
- ☒ Exhibit B, a copy of U.S. Postal Service Express Mail Certificate EV613449942US (1 page)
- ☒ Exhibit C, U.S. Postal Service record of Express Mail No: EV613449942US (1 page);
- ☒ Exhibit D, a copy of an e-mail from Seth Harbuck sent on March 17, 2005 (1 page).

The Commissioner is hereby authorized to charge any additional fees or credit overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account 162201. *Duplicate copies of this sheet are enclosed.*



Nelson D. Nolte

Registration No: 42,938

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (703) 872-9306 on March 23, 2005.



Nelson D. Nolte

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Seth Harbuck
SERIAL NO.: 10/669,275
FILED: September 23, 2003
FOR: LOW COST FUEL PUMP AND FILTER ASSEMBLY

GROUP ART UNIT: 3747
EXAMINER: N/A
DOCKET NO.: PCRC 8472U1

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR RECONSIDERATION OF
PETITION TO ACCORD STATUS UNDER 37 CFR § 1.47(b)**

PC/RC Products, L.L.C. respectfully requests the Commissioner for Patents to reconsider its Petition to Accord Status under 37 CFR § 1.47(b) filed January 28, 2005 for the present application. In the decision dismissing the petition, the Petitions Attorney stated that the petition did not include proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration.

With this Petition, please find the declaration of the under-signed attorney stating that the inventor has been contacted, provided a copy of the application and declaration and has responded by refusing to sign the declaration, except upon further conditions. Specifically, the inventor has required that property that belongs to the assignee of the present invention be transferred to his employer, a competitor of the assignee of the present invention. The inventor is under a belief that the property belongs to his employer. Regardless, even if the inventor were correct (which he is not), requiring transfer of property based upon rights of a third party as a condition for signing is not a valid basis for his refusal.

The Assignment signed by the inventor and recorded with the PTO requires him to "execute such further applications, powers of attorney, assignments and other documents as may

be necessary or desirable to effectuate this agreement." Therefore, his imposition of further conditions is a violation of his legal obligation to execute the declaration.

Therefore, PC/RC Products submits that the present request for reconsideration places the petition in order for granting and respectfully requests the same.

The Commissioner is hereby authorized to charge any additional required fees under 37 CFR 1.16 and 1.17 that may be required by this paper to Deposit Account 162201.

Date: March 23, 2005

By:



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Nelson D. Nolte